

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

DADRAIN DANTWONE BANKS

PLAINTIFF

v.

Case No. 4:19-cv-00596 KGB/JTR

BRIGGS, Major, Pulaski County Jail, et al.

DEFENDANTS

ORDER

The Court has received the Recommended Disposition submitted by United States Magistrate Judge J. Thomas Ray (Dkt. No. 44). Plaintiff Dadrain Dantwone Banks has submitted several filings since Judge Ray's Recommended Disposition was docketed. As set forth below, although the Court has reviewed and considered all of them, none of the filings object to the Recommended Disposition, and the time for objecting has passed.

The Court received and has considered a 13 page document entitled, "Notice," dated December 14, 2020 (Dkt. No. 45). Reading this filing liberally, Mr. Banks complains that he is in Garland County Detention Facility, that he is being required to wear handcuffs in the hallway, and that staff members are setting him up to be attacked and injured by other inmates in retaliation for making complaints (*Id.*).

The Court received and has considered a four page document entitled, "Notice to the Court," dated December 23, 2020 (Dkt. No. 46). Reading this filing liberally, Mr. Banks complains that staff members at Garland County Detention Facility are targeting him for verbal and physical abuse, are sexually harassing him, are taking his legal mail, and are making death threats against him (*Id.*, at 1).

The Court received and has considered a two page document entitled, "Notice to Court," dated December 23, 2020 (Dkt. No. 47). Reading this filing liberally, Mr. Banks complains that

a staff member at the Garland County Detention Facility filed “sex charges” against him in retaliation for filing claims against male staff members (*Id.*, at 1).

The Court received and has considered a 24 page document entitled, “Notice to Court,” dated December 12, 2020, and December 13, 2020 (Dkt. No. 50). Reading this filing liberally, Mr. Banks makes numerous complaints about staff members at Garland County Detention Facility including that they are withholding his legal mail (*Id.*, at 1). The document also includes copies of several pleadings already filed in this case (*Id.*, at 7-24).

The Court received and has considered a two page document entitled, “Notice to Court,” dated December 27, 2020 (Dkt. No. 51). Reading this filing liberally, Mr. Banks claims staff members at the Garland County Detention Facility are discriminating against him because of his race and are harassing him (*Id.*).

The Court received and has considered a one page document entitled, “Notice To This Court,” in which Mr. Banks does not make any claims (Dkt. No. 52).

The Court received and has considered an 18 page document entitled, “Notice to Court,” dated January 1, 2021 (Dkt. No. 54). Reading this filing liberally, Mr. Banks claims staff members at the Garland County Detention Facility are discriminating against him because of his race and are harassing him (*Id.*). Mr. Banks also includes a copy of an Order to Show Cause dated December 28, 2020, entered in a case which Mr. Banks brought in the Western District of Arkansas (*Id.*, at 9).

The Court received and has considered a 22 page document entitled, “Notice,” dated January 6, 2021 (Dkt. No. 56). Reading this filing liberally, Mr. Banks claims staff members at Garland County Detention Facility are improperly handling his legal mail, are discriminating

against him because of his race, are sexually harassing him, and are targeting him for false disciplinary charges (*Id.*, at 1, 3, 5, 7, 9, 11-12).

The Court received and has considered a 16 page document entitled, “Notice to the Court,” dated January 5, 2021 (Dkt. No. 57). Reading this filing liberally, Mr. Banks claims staff members at Garland County Detention Facility are improperly handling his legal mail, grievances, and sick calls; are filing false claims against him; are discriminating against him on the basis of his race; are not updating his inmate account; and are threatening him (*Id.*, at 1, 3, 5, 7, 9).

The Court received and has considered a 13 page document entitled, “Court Notice,” dated November 12, 2020 (Dkt. No. 59). Reading this filing liberally, Mr. Banks claims staff members at Garland County Detention Facility are sexually, physically, and mentally abusing him; mishandling his legal mail; and are filing false disciplinary charges against him (*Id.*, at 1-2, 13).

The Court received and has considered a document entitled, “Notice to Court,” dated December 23, 2020, which is a copy of docket entry number 46 (Dkt. No. 61).

The Court received and has considered a document entitled, “Notice to Court,” dated December 29, 2020 (Dkt. No. 63). The Court notes that this document, aside from pages 16 and 17 which are instructions for filing that Mr. Banks appears to have appended to the document on January 15, 2021, was filed previously as docket entry number 55 (Dkt. Nos. 55, 63).

The Court received and has considered a 24 page document entitled, “Notice To The Court,” dated January 17, 2021 (Dkt. No. 64). Reading this filing liberally, Mr. Banks alleges that staff at the Garland County Detention Facility are denying him access to the law library, are charging him for “damaged commissary items,” are blocking him from filing claims, are physically and mentally abusing him, are harassing him, are discriminating against him because of his race,

are filing false disciplinary charges against him, and have put him at risk of exposure to COVID-19 (Dkt. Nos. 1, 3, 5, 7, 9, 11).

The Court received and has considered a 26 page document filed as evidence dated January 29, 2021 (Dkt. No. 65). The exhibits include disciplinary documents from Garland County Detention Facility, court documents, and commissary account documents.


The Court received and has considered a 12 page document the Court filed as a “Notice,” dated January 21, 2021 (Dkt. No. 66). Reading this filing liberally, Mr. Banks alleges that judges are not accounting for the fact that he is *pro se* and on “mental health status” and that officials at the Garland County Detention Facility are not trained to deal with mental illness (*Id.*, at 1, 3, 5, 7, 11).

The Court has also received and considered several motions from Mr. Banks (Dkt. Nos. 43, 48, 49, 53, 55, 58, 60, 62). All of the motions relate to claims Mr. Banks makes against staff at the Garland County Detention Facility, which are irrelevant to this lawsuit.

Even if the Court construes Mr. Banks’s filings as objections, after careful consideration of the Recommended Disposition, Mr. Banks’s filings, and a *de novo* review of the record, the Court concludes that the Recommended Disposition should be, and hereby is, approved and adopted in its entirety as this Court’s findings in all respects (Dkt. No. 44). The Court dismisses without prejudice Mr. Banks’s complaint and amended complaint, along with its addendum, for failing to state a claim upon which relief may be granted (Dkt. Nos. 2, 16, 18). All requested relief is denied. The Court denies as moot all other pending motions (Dkt. Nos. 43, 48, 49, 53, 55, 58, 60, 62). The Court finds that this dismissal shall count as a “strike” pursuant to 28 U.S.C.

§ 1915(g). The Court also certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order would not be in good faith.

It is so ordered this 4th day of February, 2021.



Kristine G. Baker
United States District Judge